



**ELECTRIC UTILITY COMMISSION**  
**REGULAR MEETING MINUTES – Approved June 20, 2011**  
**MAY 16, 2011**

**The Electric Utility Commission (EUC) convened in a regular meeting in the Shudde Fath Conference Room at 721 Barton Springs Road in Austin, Texas.**

1. **CALL TO ORDER** – Linda Shaw, Vice Chair, called the meeting to order at 6:00 p.m. Commissioners in attendance: Linda Shaw, Vice Chair; Shudde Fath, Stephen Smaha, Steve Taylor, and Dr. Michael E. Webber. Phillip Schmandt, Chair, and Gary ‘Bernie’ Bernfeld were absent.

Staff in attendance: Elaine Hart, Cheryl Mele, Kerry Overton, David Wood, J.J. Gutierrez, Ann Little, Andy Perny, Jeff Vice, Jim Collins, Pat Sweeney, David Kutach, Fred Yebra, Steve Machicek, Adrienne Brandt, Erika McCartney, Laura Lee Franks, Matt Russell, Marnie Cervenka, Cindi Perez, Drusilla Saenz, Chris Smith, and Toye Goodson Collins of Austin Energy; Rosie Truelove of the Contract & Land Management Department; and Rosemary Ledesma and Shawn Harris of the Purchasing Department.

2. **APPROVAL OF MINUTES** - Approve minutes of the April 18, 2011 regular meeting. **Motion to approve minutes by Commissioner Taylor, seconded by Commissioner Smaha, passed on a vote of 5-0.**
3. **CITIZEN COMMUNICATIONS** – Andy MacFarlane of Data Foundry and an alternate member of the Public Involvement Committee (PIC) requested that Austin Energy hold additional meetings of the PIC to address topics such as smart metering, the Pecan Street Project, cogeneration and others.

**NEW BUSINESS – CONSENT ITEMS**

4. Recommend authorization to award, negotiate, and execute a 12-month requirements supply contract with CENTRAL TEXAS COMMERCIAL AIR, Austin, TX for the rental of temporary, portable, utility plant systems in an amount not to exceed \$500,000, with four 12 -month extension options in an estimated amount not to exceed \$500,000 per extension option, for a total estimated contract amount not to exceed \$2,500,000. **Motion to approve by Commissioner Taylor, seconded by Commissioner Fath, passed on a vote of 5-0.**
5. Recommend authorization to award and execute Amendment No. 5 to a contract with 360TRAINING.COM, INC., Austin, TX for the purchase of North American Electric Reliability Corporation (NERC) certification web based training for Austin Energy Control Center (ECC) and Energy Marketing Operations (EMO) employees, to exercise the third 12-month extension option in an estimated not to exceed \$13,899.28 with one additional 12-month extension option in an estimated amount not to exceed \$14,000, for a revised total estimated contract amount not to exceed \$70,303.12. **Motion to approve on consent by Commissioner Taylor, seconded by Commissioner Smaha, passed on a vote of 5-0.**
6. Recommend authorization to negotiate and execute Amendment No. A-2 (Long Lead, Civil Structural and Main [Interior] Work Components) to the Construction Manager at Risk Agreement with DPR Construction, Inc., Austin, TX, for the Austin Energy System Control Center Project in the amount of \$58,152,220. The total Guaranteed Maximum Price (“GMP”) (including all Work Components) of the Agreement is \$60,390,710. In addition to previously approved Owner’s contingency of \$46,000, an additional \$1,500,000 is requested for a not-to-

exceed authorization amount of \$61,936,710. **Motion to approve on consent by Commissioner Taylor, seconded by Commissioner Smaha, passed on a vote of 5-0.**

7. Recommend authorization to execute a construction contract with RS ELLIS, INC. dba SOUTHWEST CORPORATION, Austin, TX for a Control House to serve the future Webberville Solar Switchyard in an amount not to exceed \$123,231. **Motion to approve on consent by Commissioner Taylor, seconded by Commissioner Smaha, passed on a vote of 5-0.**
8. Recommend authorization to award and execute a 12-month requirements supply contract with JAE GROUP, INC., Austin, TX for the purchase of topsoil and sandy loam for Austin Energy in an estimated amount not to exceed \$14,940, with four 12-month extension options in an estimated amount not to exceed \$14,940 per extension option, for a total estimated contract amount not to exceed \$74,700. **Motion to approve on consent by Commissioner Taylor, seconded by Commissioner Smaha, passed on a vote of 5-0.**
9. Recommend authorization to award, negotiate, and execute Amendment No. 4 to the 12-month requirements service contract with EFFECTIVE ENVIRONMENTAL, INC., Mesquite, TX; USA ENVIRONMENT, LP, New Braunfels, TX; TAS ENVIRONMENTAL SERVICES, LP, Fort Worth, TX; and EAGLE CONSTRUCTION & ENVIRONMENTAL SERVICES, LLC, Cisco, TX, for soil remediation and equipment decontamination services for Austin Energy, to increase the current amount of the contract in an estimated not to exceed \$500,000 each and combined, for a revised estimated contract amount not to exceed \$4,500,000 each and combined. **Motion to approve on consent by Commissioner Taylor, seconded by Commissioner Smaha, passed on a vote of 5-0.**
10. Approve an ordinance authorizing acceptance of \$55,000 in grant funds from the American Public Power Association (APPA), and amending the Fiscal Year 2010-2011 Austin Energy Operating Budget Special Revenue Fund of Ordinance No. 20100913-002 to appropriate such grant funds, and authorize execution of a "Demonstration of Energy-Efficient Development Grant Agreement" with APPA for the development of a software tool and user's manual to address power factor through energy efficiency, in an amount not to exceed \$55,000. The grant period is from June 10, 2011 to September 30, 2011. **Motion to approve on consent by Commissioner Taylor, seconded by Commissioner Smaha, passed on a vote of 5-0.**
11. Recommend authorization to award, negotiate, and execute a purchase contract with SMITH POWER PRODUCTS, INC., Houston, TX, for the purchase of an engine generator for the Hornsby Bend Biosolids Management Plant in an estimated amount not to exceed \$1,227,225, with the option for a 96-month service and maintenance contract for this generator in an estimated amount not to exceed \$1,563,200, for a total estimated contract amount not to exceed \$2,790,425. **Motion to approve by Commissioner Taylor, seconded by Commissioner Fath, passed on a vote of 5-0.**
12. Recommend authorization to award and execute a contract with ENTECH SALES AND SERVICE, Austin, TX, to replace and upgrade the existing Building Automation System in the APD Headquarters and Patrol Buildings in an estimated amount not to exceed \$160,180. **Motion to approve by Commissioner Taylor, seconded by Commissioner Fath, passed on a vote of 5-0.**
13. Recommend authorization to award, negotiate and execute a 12-month requirements service contract with APPLEONE EMPLOYMENT SERVICES, Austin, TX, or one of the other

qualified offerors to RFP No. TVN0014REBID for temporary staffing services for the Citywide Austin 3-1-1 Contact Center and the Utility Contact Center, in an estimated amount not to exceed \$4,500,000 with four 12-month extension options in an estimated amount not to exceed \$4,500,000 per extension option, for an estimated total contract amount not to exceed \$22,500,000. **Motion to approve by Commissioner Taylor, seconded by Commissioner Fath, passed on a vote of 5-0.**

14. Recommend authorization to award and execute a 36-month requirements service contract with L D TEBBEN CO., INC. Austin, TX, or one of the other qualified bidders for IFB-BV No. PAX0206, for roofing maintenance and repair services in an estimated amount not to exceed \$3,057,600, with three 12-month extension options in estimated amounts not to exceed \$1,451,520 for the first extension option, \$1,741,824 for the second extension option, and \$2,090,188 for the third extension option, for a total estimated contract amount not to exceed \$8,341,132. (Funding for this item will be shared among several City departments; Austin Energy's share is \$150,000 per year.) **Motion to approve on consent by Commissioner Taylor, seconded by Commissioner Smaha, passed on a vote of 5-0.**

#### **OLD BUSINESS**

15. **Revise 2011 meeting schedule. Motion to approve the addition of Commission meetings on September 1 and October 3, to continue discussions regarding Austin Energy's rate redesign, by Commissioner Webber, seconded by Commissioner Fath, passed on a vote of 5-0.** Commissioners requested that staff detail plans for notifying the public prior to the additional meetings.

#### **STAFF REPORTS AND BRIEFINGS**

16. **Deferred Payment Arrangements and Disconnections Report** – This report was included in the backup materials. There was no discussion.
17. **Monthly Financial Report** by Steve Machicek, Director, Corporate Accounting and Rates.
18. **Fiscal Year 2012 Budget Work Session and Presentation of the Five-Year Financial Forecast** by Elaine Hart, Chief Financial Officer. Commissioners requested budget development updates as they became available.
19. Briefing on the **Implementation of the Texas Nodal Market** by Pat Sweeney, Director, Energy & Market Operations.
20. **EXECUTIVE SESSION** – The Electric Utility Commission went into Executive Session at 7:25 p.m. pursuant to Section 551.086, Public Power Utility Competitive Matters, of the Texas Government Code to discuss matters relating to Austin Energy's fuel hedging program. **The motion to go into closed session was made by Commissioner Webber, seconded by Commissioner Smaha, and passed on a vote of 5-0.** The Executive Session ended and Vice Chair Shaw called the meeting back to order at 8:15 p.m.
21. **FUTURE AGENDA ITEMS** – Commissioners reviewed the Upcoming Procurements Report and Schedule of Upcoming Briefings and Reports included in the agenda packet and made no additional requests.
22. **ADJOURNMENT** – Vice Chair Shaw adjourned the meeting at 8:18 p.m. without objection.